

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING - September 30, 1999
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT: **Chairman:** Craig H. Zetley
 Members: Henry P. Szymanski
 Scott R. Winkler
 Catherine M. Doyle
 Roy B. Nabors

Alt. Board Members: Donald Jackson
 Georgia M. Cameron

Start time: 4:30 P.M.

End Time: 10:40 P.M.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
1	22259 Special Use Granted 10 yrs.	Anup K. Khullar, Property Owner Request to construct a new motor vehicle pumping station and to occupy the premises as such.	2931 W. Lincoln Ave. (8th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Catherine M. Doyle moved to grant the appeal. Seconded by Roy B. Nabors.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That a permanent, raised barrier, preferably landscaped in accordance with City Ordinances, be installed between the public sidewalk on S. 30th Street and paved surfaces on site to prevent vehicles from parking, driving on, or otherwise encroaching into the sidewalk area.
5. That curb, gutter and sidewalk are to be restored at the locations of driveways to be abandoned as required by City Ordinance.
6. That landscaping and screening plans are to be upgraded to meet the intent of s.295-75 and include trees and shrubs along the 30th St. frontage.
7. That City Forester approval is obtained for the planting of any landscape materials in the public right-of-way.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
8.		That site illumination is to be controlled to prevent glare onto adjacent streets and residences.	
9.		That the pylon sign is to be limited to a maximum of 100 square feet.	
10.		That the building footprint is limited to 950 sq. ft.	
11.		That there be no outdoor vending machines, coolers, or any other type of outdoor storage.	
12.		That the hours of operation be limited to 5:00 a.m. to 11:00 p.m.	
13.		That an opaque wooden fence, six feet in height, be maintained as indicated on the site plan.	
14.		That the trash dumpsters be completely enclosed as indicated on the site plan.	
15.		That three (3) on-site parking stalls are maintained in accordance with the site plan and are delineated with permanent pavement markings.	
16.		That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	

2	22353 Variance Granted 10 yrs.	Iglesia Maranatha, Prospective Buyer By: Obed Pena Request to occupy the premises as a church.	524 W. Madison St. (12th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Henry P. Szymanski moved to grant the appeal. Seconded by Scott R. Winkler.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
3	22273 Ext. of Time Adjourned	Lakeside International Trucks, Inc., By: Peter Ogorek Request to receive an extension of time to finalize site plan for an appeal.	11000 W. Silver Spring (15th) Ayes: Nays: Abstain:

This item was adjourned at the request of the petitioner and will be rescheduled for the next available hearing date.

4	22456 Change of Operator Granted	Alex Flynn, Prospective Buyer Request for a change of operator to continue occupying the premises as an office.	1223 N. Prospect Ave. (4th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Henry P. Szymanski moved to grant the Change of Operator. Seconded by Scott R. Winkler.

5	22312 Special Use Dismissed	Ricardo Manuel Rodriguez, Lessee Request to occupy the premises as a tavern and dance hall.	2455 W. Clybourn St. (4th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Henry P. Szymanski moved to dismiss the appeal without prejudice for lack of prosecution. Seconded by Scott R. Winkler.

6	22455 Change of Operator Granted	Zubair Arshad, Lessee Request for a change of operator to continue occupying the premises as a motor vehicle pumping station and convenience store.	3434 W. Oklahoma Ave. (8th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Henry P. Szymanski moved to grant the Change of Operator. Seconded by Scott R. Winkler.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
7	22444 Change of Operator Granted	Chuedang Vue, Lessee Request for a change of operator to continue occupying the premises as a wholesale bakery.	1429 S. Muskego Ave. (12th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
Board member Henry P. Szymanski moved to grant the Change of Operator. Seconded by Scott R. Winkler.			
9	22470 Variance Dismissed	Atlas Development Corp., Lessee By: Robert Mabeus Request to construct a parking lot on the premises without the required landscaping.	832 W. Bruce St. (12th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
Board member Henry P. Szymanski moved to dismiss the appeal without prejudice. Seconded by Scott R. Winkler.			
10	22433 Dimensional Variance Dismiss	The Children's Service Society of Wisconsin, Lessee By: Joan Kojis Request to occupy the premises as a small group shelter care facility within 2500 ft of a Community Living Arrangement.	2318-18A S. 9th Pl. (12th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
Board member Henry P. Szymanski moved to dismiss the appeal without prejudice. Seconded by Scott R. Winkler.			

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
11	22366 Variance Granted	Constance M. Mumper, Property Owner Request to construct an addition to the north side of the existing dwelling unit.	245 & 245A S. 76th St. (16th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetly

Board member Henry P. Szymanski moved to grant the appeal. Seconded by Scott R. Winkler.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the petitioner build in accordance with plans as submitted to the Board.
4. That this Variance is granted to run with the land.

12	22483 Variance Granted	Donald Siggelkow, Property Owner Request to construct an addition to the rear of the existing dwelling unit.	1439 S. 33rd St. (16th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley
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Board member Henry P. Szymanski moved to grant the appeal. Seconded by Scott R. Winkler.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the petitioner build in accordance with plans as submitted to the Board.
4. That this Variance is granted to run with the land.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
13	22462 Variance Granted 10 yrs.	Capitol Medical Development, Prospective Owner By: Douglas G. French Request to construct a medical office building/clinic on the premises.	5717 W. Fond du lac Ave. (2nd) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley

Board member Henry P. Szymanski moved to grant the appeal. Seconded by Scott R. Winkler.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That the appellant continue to work with the Department of City Development staff on an acceptable facade and site plan.
5. That the appellant legally separates this parcel from the Capitol Court property.
6. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.

14	22416 Variance Granted	Eric Klassen, Property Owner By: Tom Moschina Request to construct an addition to the rear of the existing dwelling unit.	3410 N. Newhall St. (3rd) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley
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Board member Henry P. Szymanski moved to grant the appeal. Seconded by Scott R. Winkler.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the petitioner build in accordance with plans as submitted to the Board.
4. That this Variance is granted to run with the land.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
15	22476 Dim. Variances Granted	Marshall Eastside Development LLC, Property Owner By: Robert Joseph Request to construct a new 10-unit condominium.	2571 & 2579 N. Farwell Ave. (3rd) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley

Board member Henry P. Szymanski moved to grant the appeal. Seconded by Scott R. Winkler.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the petitioner build in accordance with plans as submitted to the Board.
4. That this Variance is granted to run with the land.

16	22398 Variance Granted 10 yrs.	Sisters of the Divine Savior, Property Owner By: Sister Sheila Novak Request to construct an addition to the existing premises in excess of permitted lot coverage and without the required north side setback.	3800 N. 92nd St. (5th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley
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Board member Henry P. Szymanski moved to grant the appeal. Seconded by Scott R. Winkler.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the petitioner build in accordance with plans as submitted to the Board.
4. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
17	22402 Special Use Granted 10 yrs.	Margaret Roberson, Lessee d/b/a Roberson Kiddie Lane By: Margaret Roberson Request to occupy the premises as a day care center for 50 infant children, open 24hrs.	8711 B&C W. Fond du lac Ave. (5th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley

Board member Henry P. Szymanski moved to grant the appeal. Seconded by Scott R. Winkler.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

18	22417 Use Variance Granted 10 yrs.	Good Will Industries, Lessee By: Roger Sherman, Vice President Request to continue to occupy the premises as an adult day care center.	8700 W. Good Hope Rd. (9th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley
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Board member Henry P. Szymanski moved to grant the appeal. Seconded by Scott R. Winkler.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
19	22468 Special Use Granted 10 yrs.	Yelena Petukhova, Prospective owner Request to occupy the premises as a Type "A" restaurant.	5401 W. Good Hope Rd. (9th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley

Board member Henry P. Szymanski moved to grant the appeal. Seconded by Scott R. Winkler.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

20	22379 Special Use Granted 10 yrs.	Anup Khullar, Land Contract d/b/a Andy's Petro Pantry Request to occupy the premises as a motor vehicle pumping station and convenience store.	7220 N. Teutonia Ave. (9th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley
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Board member Henry P. Szymanski moved to grant the appeal. Seconded by Scott R. Winkler.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That signage for the pylon sign is to be limited to a maximum of 150 square feet.
5. That the trash dumpster is constructed with materials that are compatible with the main structure.
6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
21	22346 Variance Adjourned	Lawrence Ochs, Lessee Request to occupy the premises as a motor vehicle body-bumping and painting facility.	5130 W. Forest Home Ave. (11th) Ayes: Nays: Abstain:

This item was adjourned at the request of an interested party and will be rescheduled for the next available hearing date.

22	22457 Variance Granted	Phillip and Theresa Graczyk, Property Owner By: Steven C. Graczyk Request to construct a garage on the premises accessory to the 4 family dwelling unit.	2550 S. 69th St. (11th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley
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Board member Henry P. Szymanski moved to grant the appeal. Seconded by Scott R. Winkler.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the petitioner build in accordance with plans as submitted to the Board.
4. That this Variance is granted to run with the land.

23	22421 Special Use Dismissed	Maria Rogue, Lessee Request to occupy the premises as a resale store.	1651 S. 11th St. (12th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Henry P. Szymanski moved to dismiss the appeal without prejudice. Seconded by Scott R. Winkler.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
24	22479 Dimensional Variance Granted	Thomas & Nancy Graebner, Property Owners d/b/a Hospitality Inn By: Joseph F. Kopecky, Agent Request to build a hotel addition.	4400 S. 27th St. (13th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley

Board member moved to the appeal. Seconded by .

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the petitioner build in accordance with plans as submitted to the Board.
4. That the vacation of the S. 27th Street right-of-way to be used for this project is completed and the land acquired by the applicant.
5. That the curb, gutter, and sidewalk is restored at all driveways to be abandoned.
6. That this Variance is granted to run with the land.

25	22448 Special Use Granted 10 yrs.	CEC Entertainment, Inc., Lessee d/b/a Chuck E. Cheese By: Alice Winters Request to continue occupying the premises as a Type "A" restaurant and a video game center.	2701 S. Chase Ave. (14th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley
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Board member Henry P. Szymanski moved to grant the appeal. Seconded by Scott R. Winkler.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That all previous conditions of the Board regarding this property are maintained.
5. That Special Uses are granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
26	22475 Variance Granted	Susan and Ignacio Catral, Property Owner Request to convert the attic of the premises into living quarters.	1005 E. Dakota Ave. (14th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley

Board member Henry P. Szymanski moved to grant the appeal. Seconded by Scott R. Winkler.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the petitioner build in accordance with plans as submitted to the Board.
4. That this Variance is granted to run with the land.

27	22441 Special Use Granted 10 yrs.	The McDonald's Corporation, Property Owner d/b/a McDonald's Restaurant By: Mark Goetzinger Request to continue occupying the premises as a Type "B" restaurant with the addition of a play area.	7170 N. Teutonia Ave. (9th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley
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Henry P. Szymanski moved to grant the appeal. Seconded by Scott R. Winkler.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
28	22466 Special Use and Variance Adjourned	MRED Commercial Development Corp., Prospective Buyer d/b/a Walgreens Retail Pharmacy By : Frank Pletcher Request to construct a retail store with a drive through facility.	9040 W. Good Hope Rd. (9th) Ayes: Nays: Abstain:

This item was adjourned at the request of the applicant and will be rescheduled for the next available hearing date.

29	22317 Special Use Granted 10 yrs.	Clark Refining, Property Owner By: Paul S. Schmitter Request to occupy the premises as a pumping station with a storage shed and free standing ATM on site.	8015 N. 76th St. (9th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley
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Catherine M. Doyle moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That there be no outdoor storage on the premises.
5. That the ATM be placed at a location where parking related to ATM usage will not obstruct vehicular circulation through the site.
6. That landscaping and screening plans must be submitted which meet the intent of s. 295-75.
7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
30	22363 Variance Granted 10 yrs.	Marvin Ortiz, Lessee Request to continue occupying the premises as a grocery store.	1201 S. 33rd St. (16th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley

Roy B. Nabors moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That all previous conditions of the Board regarding this property are maintained.
5. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.

31	22449 Special Use Adjourned	Julia Williams, Prospective owner d/b/a Accent Children Request to occupy the premises as a day care center for 35 children, ages 6wks. to 12yrs., from 6AM to 8PM.	4702 W. Vliet St. (16th) Ayes: Nays: Abstain:
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This item was adjourned from this hearing at the request of the Alderman and will be rescheduled for the next available hearing date.

32	22407 Special Use Adjourned	Mary Elam, Property Owner Request to occupy the 1st & 2nd floors of the premises for a day care center for 50 children, ages 6 wks. to 12 yrs., from 6AM to 6PM.	4716-18 W. Vliet St. (16th) Ayes: Nays: Abstain:
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This item was adjourned at the request of the Alderman and will be rescheduled for the next available hearing date.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
33	22439 Variance Granted 10 yrs.	The St. Sebastian School, Property Owner By: Maureen O'Boyle Request to erect a 4' x 8' sign on the premises.	1740 N. 55th St. a/k/a 1739 N. 54th St. (16th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley

Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
34	22362 Special Use Granted 10 yrs.	James and Theresa Morton, Prospective Buyers Request to occupy a portion of the existing building as a day care center for 100 children, ages infant to 13 yrs, open 24 hrs and 7 days a week.	3130 W. Lisbon Ave. (17th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley

Henry P. Szymanski moved to grant the appeal. Seconded by Scott R. Winkler.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That the front window is to be restored to clear glass and maintained in an attractive manner.
5. Signage is to be limited to a maximum of 50 square feet and is to be located in the sign band above the front window.
6. That the outdoor play area is not utilized after 7:00 p.m.
7. That the operator complies with the state commercial code for day cares.
8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
35	22315 Special Use Granted 5 yrs.	The Milwaukee Rescue Mission, Property Owner By: Reverend Patrick Vanderburgh Request to continue to occupy the premises as a social service facility and rooming house.	1820 W. Wells St. a/k/a 830 N. 19th St. (17th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley

Henry P. Szymanski moved to grant the appeal. Seconded by Scott R. Winkler.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That all conditions of Decision No. 21020 are complied with in every respect except as otherwise amended herein.
5. That the applicant provide a report to the Department of Neighborhood Services, at least quarterly, beginning not later than thirty days from the date hereof containing information on the average and maximum number of persons served by the three overnight occupancy programs broken down by month with copies being provided to the Executive Director of the Avenues West Business Improvement District (BID), the designated representative of Marquette University, the alderman for the district in which the special use is located, and any party which registered with the applicant to receive a copy.
6. That these Special Uses are granted for a period of five (5) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
36	22373 Special Use Granted 10 yrs.	Schnell Price, Prospective Buyer d/b/a Jo's Play Pen-- Learning & Development Center Request to occupy the premises as a day care center for 98 children, ages infant to 12 yrs., open 24 hrs.	4801 W. North Ave. (17th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley

Scott R. Winkler moved to grant the appeal. Seconded by Roy B. Nabors.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That the applicant comply with the state commercial code for day care center.
5. That landscaping and screening plans are revised to place the decorative metal fence outside of the plant material.
6. That site illumination is to be controlled to prevent glare onto adjacent streets and residences.
7. That signage is to be limited to the sign band above the first floor windows.
8. That the appellant acquires the south abutting parcel (2235 N. 48th St.) from the City of Milwaukee.
9. That the outdoor play area shall not be used after 7:00 p.m..
10. That parents observe all parking restrictions at the premise.
11. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
37	21239 Special Use Granted 5 yrs.	Hickman's Academy of Excellence, Lessee By: Bennie S. Hickman Request to operate a day care center for 80 children ages infant to 12 years, operating 6:00 AM to 11:00 PM Monday thru Friday at the above subject premises.	6401 W. Capitol Dr. (2nd) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That the applicant complies with the plan of operation.
5. That the loading and unloading of children is at the northeast or southeast corner of the building.
6. That all recommendations of the Traffic Engineer are complied with.
7. That three (3) parking stalls be reserved and signed for day care vans.
8. That parking stalls have permanent pavement markings within 60 days.
9. That the play area is not used after 7 p.m..
10. That all abandoned driveways are to be restored with curb, gutter, and sidewalk in accordance with City code.
11. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.

38	22388 Special Use Adjourned	Bulk Petroleum Corp., Prospective buyer By: Charanjeet S. Dhaliwal Request to construct a motor vehicle pumping station and convenience store with a canopy, open 24hrs.	6006 W. Villard Ave. (2nd) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley
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Henry P. Szymanski moved to adjourn the appeal. Seconded by Scott R. Winkler.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
39	22436 Dimensional Variance Granted	Kathleen Williams, Property Owner Request to construct a 18' x 20' detached garage in the north side setback.	1651 N. Franklin Pl. (3rd) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley

Roy B. Nabors moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the petitioner build in accordance with plans as submitted to the Board.
4. That this Variance is granted to run with the land.

40	22266 Special Use Adjourned	Bayoff Enterprises, Inc., Property Owner d/b/a Little Caesars Pizza By: Thomas S. Bayoff Request to occupy the premises as a Type "B" restaurant.	2831 N. Oakland Ave. (3rd) Ayes: Nays: Abstain:
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This item was adjourned at the request of the Alderman and will be rescheduled for the next available hearing date.

41	22432 Variance Granted	Gene W. Berube, Property Owner Request to construct a parking space on the premises.	1541 N. Marshall St. (3rd) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley
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Henry P. Szymanski moved to grant the appeal. Seconded by Scott R. Winkler.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the petitioner build in accordance with plans as submitted to the Board.
4. That this Variance is granted to run with the land.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
42	22480 Special Use Granted 10 yrs.	Kohl's Food Store, Property Owner By: Sigurd E. Strautmanis Request to construct a drive through canopy for the proposed bank tenant, consisting of 3 lanes.	8340 W. Appleton Ave. (5th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley
Board member Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.			
Conditions as recorded below and in the decision of the Board:			
1.		That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.	
2.		That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.	
3.		That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.	
4.		That any necessary approvals and permits for all proposed work on driveways or median islands on W. Hampton Avenue must be approved by Milwaukee County prior to construction.	
5.		That site illumination is to be controlled to prevent glare onto adjacent streets and properties.	
6.		That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	
43	22318 Special Use Denied	Donald Cox/Vernon Townsend, Lessee/Property Owner Request to occupy the premises as a motor vehicle repair center.	2448-52 N. Martin L. King Dr. (6th) Ayes: 5 Nays: 0 Abstain:

Scott R. Winkler moved to deny the appeal. Seconded by Henry P. Szymanski.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
44	22286 Special Use/Variance Granted 10 yrs.	Valetha Hunter, Lessee d/b/a The Temple Of The Living God-The Christian Learning Center. Request to occupy the premises as a church and social service facility.	4032 W. Burleigh St. (7th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley

Board member Roy B. Nabors moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That the chain link fence located in the sidewalk area of W. Burleigh either be removed, or a special privilege for use of the street right-of-way be applied for and granted by the Common Council of the City of Milwaukee for the fence to remain in its current location.
5. That signage is to be limited to the sign band above the storefront window.
6. That the storefront windows must be restored to clear glass and maintained in an attractive manner.
7. That this Special Use and this Variance are granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
45	22411 Special Use Granted 10 yrs.	Ollie Levy, Lessee d/b/a First Impression Day Care Request to occupy the premises as a day care center for 25 children, ages 4wks to 12yrs., from 6AM to 6PM.	4833 W. Burleigh St. (7th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley

Board member Henry P. Szymanski moved to grant the appeal. Seconded by Scott R. Winkler.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That the applicant comply with the state commercial code for day care centers.
5. That a loading zone of a minimum length of ninety (90) feet be installed on W. Burleigh Street adjacent to the proposed day care center.
6. That the day care operator is to implement and enforce any measures necessary to ensure that parents comply with all other on-street parking restrictions in the area.
7. That documentation of the three employee parking spaces must be submitted.
8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

46	22423 Special Use Adjourned	Muhammad Ali, Lessee d/b/a Japan Autos Request to operate used car sales and repair.	5502 W. Center St. (7th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley
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Henry P. Szymanski moved to adjourn the appeal. Seconded by Catherine M. Doyle.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
46A	22485 Variance Granted	Fran Kaplan, Property Owner By: Robert Kasten Request to construct an additional room to the existing dwelling unit.	3125 N. 50th St. (7th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley
Board member Catherine M. Doyle moved to grant the appeal. Seconded by Donald Jackson.			
Conditions as recorded below and in the decision of the Board:			
1.		That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.	
2.		That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.	
3.		That the petitioner build in accordance with plans as submitted to the Board.	
4.		That this Variance is granted to run with the land.	
47	22365 Dimensional Variance Denied	Satwant Singh Kaleka, Property Owner d/b/a Stadko Petro Mart Request to install an additional 10 sq. ft. of signage.	6001 W. Cleveland Ave. (11th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley

Donald Jackson moved to deny the appeal. Seconded by Catherine M. Doyle.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
48	22458 Special Use and Variance Granted 20 yrs.	Kohl's Food Store By: Sigurd Strautmanis Request to construct and occupy the premises as a grocery store.	6015 W. Forest Home Ave. (11th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley
Board member Scott R. Winkler moved to grant the appeal. Seconded by Donald Jackson.			
Conditions as recorded below and in the decision of the Board:			
1.		That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.	
2.		That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.	
3.		That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.	
4.		That fencing details for the West Forest Home Avenue and South 60th Street frontages must be submitted and landscaping and screening plans must be upgraded to meet the intent of s.295-75, including a landscaped residential buffer with a 6-foot high wood fence along the south and west property lines to screen the loading docks.	
5.		That site illumination must be controlled to prevent glare onto adjacent streets and residences.	
6.		That the appellant must agree to work with Department of City Development staff on design related issues as specified in the departmental memo dated September 23, 1999.	
7.		That a supplemental left turn lane of a minimum length of 100 feet is recommended on the northbound approach to the proposed new median opening.	
9.		That new pre-intersection median openings are to be provided on S. 60th Street between W. Forest Home Avenue and W. Howard Avenue in advance of the W. Forest Home Avenue and W. Howard Avenue intersections.	
10.		That all abandoned driveways are to be restored with curb, gutter, and sidewalk in accordance with City code.	
11.		That the District Boundary Line extension as requested is granted.	
12.		That these Special Uses and this Variance are granted for a period of twenty (20) years, commencing with the date hereof.	

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
49	22406 Special Use Adjourned	Atlas Management, LLC, Lessee By: Robert Mabeus Request to construct a parking lot on the premises.	800 W. Virginia St. (12th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley

Board member Scott R. Winkler moved to adjourn the appeal. Seconded by Catherine M. Doyle.

50	22471 Variance Dismissed	Atlas Development, Lessee By: Robert Mabeus Request to construct a parking lot on the premises without the required landscaping.	811 W. Bruce St. (12th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley
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Board member Donald Jackson moved to dismiss the appeal. Seconded by Catherine M. Doyle.

51	22343 Variance Adjourned	Roy Cook, Property Owner Request to erect an off premise sign on the site.	920 W. Bruce St. (12th) Ayes: Nays: Abstain:
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This item was adjourned at the request of the petitioner.

52	22465 Variance Granted 10 yrs.	D.B.I INC., Property Owner By: Fred Carlson Request to construct an addition to an existing manufacturing building.	800-08 W. Maple St. (12th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley
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Board member Catherine M. Doyle moved to grant the appeal. Seconded by Scott R. Winkler.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the petitioner build in accordance with plans as submitted to the Board.
4. That this Variance is granted for a period time expiring July 12, 2009.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
53	22349 Variance Denied	Donna R. Sabo, Property Owner Request to erect a 10 ft. x 12 ft. accessory structure in the front yard of the existing dwelling unit.	2504 W. Bolivar Ave. (13th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Catherine M. Doyle moved to deny the appeal. Seconded by Donald Jackson.

54	21998 Variance Granted 10 yrs.	Bay View United Methodist Church, Property Owner By: Jean Larsen / Mark Humphrey Request to occupy and construct a parking lot on the premises.	2788-2792 S. Kinnickinnic Ave. (14th) Ayes: 4 Nays: Abstain:
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Scott R. Winkler moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the petitioner build in accordance with plans as submitted to the Board.
4. That a revised landscaping and screening plan is submitted to the Department of City Development Planning Administration section for approval.
5. That Variances are granted for a period of ten (10) years, commencing with the date hereof.

55	22326 Variance/Special Use Adjourned	Marilyn K. Betthauser, Property Owner Request to continue occupying the premises as a second hand sales store and add a pawn shop operation.	2916-18 S. 13th St. (14th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley
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Scott R. Winkler moved to adjourn the appeal. Seconded by Roy B. Nabors.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
56	22424 Variance Adjourned	Dennis Schumacher and Patricia McKean, Property Owner Request to construct a single family dwelling unit on the premises on a lot to be created by C.S.M.	2650 S. Shore Dr. (14th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley

Donald Jackson moved to adjourn the appeal. Seconded by Catherine M. Doyle.

57	22419 Variance Granted 10 yrs.	Alejandrina Lyon, Property Owner d/b/a Lyon Realty Co. Request to occupy the storefront area of the premises as a real estate office.	3479 S. 15th Place (14th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley
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Catherine M. Doyle moved to grant the appeal. Seconded by Scott R. Winkler.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That storefront windows are to be maintained in an attractive manner.
5. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.

58	22264 Special Use Adjourned	Anverkhan Malik, Prospective Buyer Request to occupy the premises as a motor vehicle pumping station.	2011-23 S. Kinnickinnic Ave. (14th) Ayes: Nays: Abstain:
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This item was adjourned at the request of the petitioner and will be rescheduled for the next available hearing date.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
59	22207 Use Variance & Special Use Adjourned	JR's Towing & Auto Service Inc., Lessee By: John LaPlante Request to occupy the premises as an auto repair facility with wholesale auto sales & exterior storage of autos for salvage.	8617 W. Kaul Ave. (15th) Ayes: 4 Nays: 0 Abstain: 1 Z. Zetley

At the request of the applicant's attorney, Roy B. Nabors moved to adjourn the appeal. Seconded by Catherine M. Doyle.

60	22409 Special Use Granted 1 yr.	Posner Realty Corp., Property Owner By: Jill Richard Request to continue occupying the premises as a parking lot.	857 N. Plankinton Ave. (4th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley
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Board member Scott R. Winkler moved to grant the appeal. Seconded by Roy B. Nabors.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That the unused driveway on W. Kilbourn Ave. be eliminated.
5. That all abandoned driveways are to be restored with curb, gutter, and sidewalk in accordance with City code.
6. That this Special Use is granted for a period of one (1) years, commencing with the date hereof.

61	22348 Special Use Adjourned	The V.E. Carter Development Group, Inc., Prospective Buyer By: Lorraine P. Carter Request to occupy the premises as a social service facility.	2801 W. Wisconsin Ave. (4th) Ayes: 4 Nays: 0 Abstain: 1 Craig Zetley
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Donald Jackson moved to adjourn the appeal. Seconded by Catherine M. Doyle.

Other Business:

The Chairman indicated that the September 9, 1999 minutes should be changed to reflect a start time of 1:05 PM not 2:05 PM. Board member Henry P. Szymanski moved to approve the minutes. Seconded by Board member Scott R. Winkler. Unanimously approved.

The Board set the next meeting for October 21, 1999.

Board member Roy B. Nabors moved to adjourn the meeting at 10:40 PM. Seconded by Board member Donald Jackson Unanimously approved.

BOARD OF ZONING APPEALS

By _____
Secretary